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HEWLETT-PACKARD COMPANY
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EXAMINER	
MANIWANG, JOSEPH R	
ART UNIT	PAPER NUMBER
2144	

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/874,432

Applicant(s)

KENNEDY ET AL.

Examiner

Joseph R. Maniwang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/18/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10, 11, 13-16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 11, 13-16 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 10, 11, 13-16, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Dutta (U.S. Pat. No. 6,891,635).
3. Regarding claim 1, Dutta disclosed a method and system comprising generating application-specific content at a source device (see column 3, lines 12-16); converting the application-specific content into corresponding device-independent formatted data (see column 3, lines 16-20); providing the device-independent formatted data to at least one service device by uploading the device-independent formatted data to the service device over a network (see column 5, lines 41-43); after uploading the device-independent formatted data, launching at least one support program on the source device that communicates over the network with the service device (see column 3, lines 9-21); using the support program on the source device to interactively provide additional information associated with the device-independent formatted data to the service device without requiring that the source device employ the same private driver that the service

device will use to process the uploaded device-independent formatted data (see column 4, lines 17-40; column 5, lines 45-52); and causing the service device to process the device-independent formatted data based at least in part on the additional information using the print driver (see column 5, lines 52-55).

4. Regarding claim 2, Dutta disclosed the method and system wherein generating application-specific content further includes creating at least one file having data that represents content selected from a group comprising graphical content, video content, and audio content (see column 4, lines 1-5).

5. Regarding claim 3, Dutta disclosed the method and system wherein the graphical content includes graphical content selected from a group comprising textual content and image content (see column 4, lines 1-5).

6. Regarding claim 4, Dutta disclosed the method and system wherein causing the service device to process the device-independent formatted data based at least in part on the additional information further includes printing at least one document corresponding to the graphical content (see column 5, lines 52-55).

7. Regarding claim 5, Dutta disclosed the method and system wherein causing the service device to process the device-independent formatted data based at least in part on the additional information further includes selectively distributing at least one file corresponding to the graphical content (see column 4, lines 35-40).

8. Regarding claim 10, Dutta disclosed the method and system wherein the network is selected from a group of networks comprising the Internet, an Intranet, a local area

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network (LAN), a wide area network (WAN), a TCP/IP-based network, a wireless communication link, and a wire-based communication link (see column 3, lines 3-5).

9. Regarding claim 11, Dutta disclosed the method and system wherein uploading the device-independent formatted data to the service device over the network further includes using a communication protocol to upload at least one file, the communication protocol being selected from a group of protocols comprising a HyperText Transfer Protocol (HTTP), Secure HTTP (SHTTP), and a File Transfer Protocol (FTP) (see column 5, lines 41-45).

10. Regarding claim 13, Dutta disclosed the method and system wherein the at least one support program provides a graphical user interface (GUI) configured to accept inputs establishing the additional information associated with the device-independent formatted data (see column 3, lines 9-12).

11. Regarding claim 14, Dutta disclosed the method and system wherein the at least one support program includes a browser application (see column 3, lines 9-12).

12. Regarding claim 15, Dutta disclosed the method and system wherein using the source device to interactively provide additional information associated with the device-independent formatted data to the service device further includes causing a port monitor process to launch the support program on the source device that communicates over the network with the service device (see column 3, lines 6-12).

13. Regarding claim 16, Dutta disclosed the method and system wherein the source device is selected from a group of client devices comprising a computer, a desktop

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personal computer (PC), a laptop PC, a personal digital assistant (PDA), and a mobile communication device (see column 6-9).

14. Regarding claim 18, Dutta disclosed the method and system wherein the service device includes at least one computer operating as a server (see column 3, lines 15-20).

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta (U.S. Pat. No. 6,891,635), and further in view of Shaw et al. (U.S. Pat. No. 5,845,058), hereinafter referred to as Shaw.

17. Dutta disclosed a method and system comprising generating application-specific content at a source device (see column 3, lines 12-16); converting the application-specific content into corresponding device-independent formatted data (see column 3, lines 16-20); providing the device-independent formatted data to at least one service device by uploading the device-independent formatted data to the service device over a network (see column 5, lines 41-43); after uploading the device-independent formatted data, launching at least one support program on the source device that communicates over the network with the service device (see column 3, lines 9-21); using the support

program on the source device to interactively provide additional information associated with the device-independent formatted data to the service device without requiring that the source device employ the same print driver that the service device will use to process the uploaded device-independent formatted data (see column 4, lines 17-40; column 5, lines 45-52); and causing the service device to process the device-independent formatted data based at least in part on the additional information using the print driver (see column 5, lines 52-55).

18. Dutta did not specifically disclose converting the application-specific content into corresponding Graphics Device Interface (GDI) data.

19. In a related art of networked printing, Shaw disclosed converting print data into GDI data (see column 6, lines 46-64).

20. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Dutta and Shaw to provide a network-based printing system in which print data was converted into GDI data as claimed. One of ordinary skill would have been motivated to consider incorporating such a feature as Shaw disclosed that GDI was inherent in the Microsoft Windows OS (see column 6, lines 46-64), which Dutta implicitly disclosed using in the disclosure of Microsoft Explorer (see column 3, lines 10). The GDI functions thus would have been obvious to one of ordinary skill in the art as it was an inherent feature already included in the environment disclosed by Dutta.

Response to Arguments

21. Applicant's arguments with respect to claims 1-8, 10, 11, 13-16, and 18 have been considered but are moot in view of the new ground(s) of rejection.
22. Examiner acknowledges Applicant's amendment to the Drawings in overcoming previous objections. The objection has been withdrawn.
23. Regarding claims 17 and 33 rejected under 35 U.S.C. 112(2), the claims have been cancelled and the rejection has been withdrawn.
24. Regarding claims 1-6, 16, and 18 rejected under 35 U.S.C. 102(b) as being anticipated by Shaw et al. (U.S. Pat. No. 5,845,058) and claims 7, 8, 10, 11, and 13-15 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaw in view of Adamske et al. (U.S. Pat. No. 6,615,234), the rejections have been withdrawn. Examiner submits that the claimed limitations are taught by the prior art as detailed in the above rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dixon, III et al. (U.S. Pat. No. 6,598,087)

Lee (U.S. Pat. No. 6,628,413)

Al-Kazily et al. (U.S. Pat. App. Pub. 2002/0181016)

Stewart et al. (U.S. Pat. No. 6,714,964)

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R. Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM

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